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COMMITTEE PRINT

LEGALIZATION OF ILLICIT DRUGS: IMPACT AND FEASIBILITY

(A Review of Recent Hearings)

REPORT

OF THE

SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL

ONE HUNDRED FIRST CONGRESS

FIRST SESSION

together with

ADDITIONAL VIEWS

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SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL

(101st Congress)

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Introduction

The Select Committee on Narcotics Abuse and Control held a 2-day hearing in the 2d session of the 100th Congress to examine the legalization of all illicit narcotics.

These informational hearings, entitled "Legalization of Illicit Drugs: Impact and Feasibility," were held in response to public debate that began in early 1988, after the mayor of Baltimore told a Washington, DC meeting of the U.S. Conference of Mayors that existing U.S. drug policy had failed. The mayor suggested legalization and decriminalization as possible approaches to solving the problem.

The hearings were designed to consider the seriousness of a variety of legalization proposals that had been offered by drug policy observers who, after the Baltimore mayor's call for a look at legalization, stepped up their own criticisms of U.S. antidrug policy. In effect, they pronounced the symbolic war on drugs lost.

Now that the hearings have been completed, and testimony has been studied and restudied, the committee, led by Chairman Charles B. Rangel and Ranking Member Benjamin Gilman, has produced a list of findings resulting from the many hours of testimony.

The findings are not for any specific legislative purpose. Instead, they are intended solely as an advisory to any Members of the U.S. Congress and the public as to what the committee believes was established by the proceedings.

How the Hearings Evolved

In the spring of 1988, Baltimore Mayor Kurt L. Schmoke was speaking to his colleagues at the U.S. Conference of Mayors annual meeting on crime and drugs. During the speech, Mayor Schmoke surprised the gathering when he suggested that elected officials should consider the legalization or the decriminalization of illicit drugs in response to America's escalating drug crisis.

In his speech, Mayor Schmoke criticized America's current antidrug approach as a wasteful proposition bent too far toward law enforcement and not far enough toward treatment and rehabilitation of drug addicts. Recalling his days as a prosecuting attorney, Mayor Schmoke cited what he viewed as the miniscule impact of arrests and convictions of drug traffickers and drug users on the overall drug problem.

Schmoke's comments were the proverbial "shots heard around the world," as few, if any, public officials had treaded into such politically explosive waters before on the sensitive narcotics issue.

Select Committee Chairman Rangel (D–NY) responded almost immediately to Mayor Schmoke's legalization calls. Chairman Rangel decried the notion as stemming from frustration and exas-

peration with the Nation's mushrooming drug crisis. Chairman Rangel contended in interviews and opinion articles that legalization would be a tactical error in the war on drugs that would quite possibly lead to a nation full of drug addicts.

Throughout the ensuing months after the hearing was announced, people on both sides of the issue began tangling publicly over the question. An informal national debate had begun, and many looked toward the hearings scheduled by Chairman Rangel as a final commentary on the subject at least for the time being.

In calling for the hearings, Chairman Rangel expressed a desire to get to the heart of suggestions being proposed by legalization proponents. Although pro-legalization advocates claimed they were simply calling for a debate on the issue, Chairman Rangel impressed upon them that they should come forward with specific plans and proposals, rather than just debate the subject. Chairman Rangel made a special plea with public officials suggesting legalization or decriminalization to come forward with specifics to satisfy the burden of their responsibility to the American public.

Throughout the debate, Chairman Rangel asked legalization advocates a series of questions in order that they might clarify their positions. Among them:

(1) has anybody ever considered which narcotic and psychotropic drugs might be legalized?

(2) would we allow all drugs to become legally sold and used, or would we select the most abused few, such as cocaine, heroin, and marijuana?

(3) who would administer the dosages—the State or the individual?

(4) what quantity of drugs would each individual be allowed to get?

(5) what about addicts, would we not have to give them more in order to satisfy their craving, or would we give them enough just to whet their appetites?

(6) what do we do about those who are experimenting? Do we sell them drugs, too, and encourage them to pick up the habit?

(7) furthermore, will the government establish tax-supported facilities to sell these drugs?

(8) would we get the supply from the same foreign countries that support our habit now, or would we create our own internal sources?

(9) would there be an age limit on purchases, as is the case with alcohol?

(10) how many people are projected to become addicts as a result of legalization?

(11) what about pilots, railroad engineers, surgeons, police, cross-country truckers and nuclear plant employees who want to use marijuana and cocaine during off-duty hours?

(12) what about crack cocaine as a legalized drug? Would we want to legalize something as harmful and as destructive to our youth as this?

Legalization: A Recurring Theme

The legalization debate seems to rise to the surface when the drug crisis reaches alarming levels, as it has recently.

The drug issue eventually moved to the top of the list of Americans' concerns during 1988, given the spate of news stories on the growing influence of the narcotics trade in everyday lives.

Throughout the year, there were revelations from the Select Committee on Narcotics and other congressional committees about the suspected involvement of some foreign leaders in the drug trade. Americans were also bombarded by reports of the increased prevalence of deadly, addictive crack cocaine; growing gang involvement in the narcotics trade; a tripling of cocaine imports to the United States in the 1980's; a significant rise in drug-related violence sparked by tension between warring traffickers and by street dealers bent on attention-getting retaliatory tactics.

At the time of the hearing, one major news poll revealed that the American public was more concerned about the crisis of illegal drugs than about any other issue—including the budget deficit.

The ABC News polling data also indicated that Americans were wary of legalization. Nine out of ten opposed legalizing all drugs and about 50 percent of the respondents feared drug use would rise under legalization.

In a Gallup survey released 2 months prior to the hearing, about 75 percent of those surveyed were opposed and nearly 70 percent felt that legalization would aggravate the Nation's drug problem.

Through the years, advocates of legalization have favored an end to existing drug laws, often using the end of Prohibition in the 1930's and the end of organized crime's involvement in the illegal liquor trade as an example in making their case.

Chairman Rangel, on the other hand, asked of legalization advocates in 1988: What drugs would we legalize? Who would manufacture and distribute them? In what neighborhoods would they be sold and marketed? Would crack cocaine be legalized in a legalization scheme? Would there be age and quantity limits on purchases? How much would we give addicts, enough to satisfy their craving?

Other opponents of the legalization theory suggested that in addition to a potential meteoric rise in addictions, there is no guarantee that the black market for drugs would close down, especially if restrictions are placed on purchase quantity and on the quality of various narcotic substances.

Overview of the Proceedings

Thursday and Friday, September 29 and 30, 1988, were 2 significant days in the 100th Congress regarding the drug issue. In those 2 days, a total of 34 witnesses representing Congress, law enforcement, government, academia, and various drug-related interest groups testified before the Select Committee on Narcotics on legalization.

By the time the hearing commenced, the legalization issue had gained such national exposure that the proceedings were carried live over public television and public radio, and was covered by a large contingent of print media. At this point and time in 1988, le-

galization was a very important topic to many Americans concerned about the worsening drug crisis.

In addition to the announced lineup of witnesses, several Members of Congress who do not serve on the Select Committee on Narcotics offered testimony on the subject.

Representative Carroll Hubbard (D–KY) and Representative Roy Dyson (D–MD) both told the panel that the Nation's drug crisis had become more than just a problem in urban America. In rural areas served by both those Members, there has been a noticeable increase in narcotics-related problems. Representative Benjamin Cardin (D–MD) warned about the confused messages that would be sent to the youth if drugs were legalized. Representative Kwesi Mfume (D–MD) also outlined his opposition, but said that more attention should be given to demand reduction.

Following is a summary of the statement of each witness. The summary is intended to capture the essence of what the witness presented to the panel in his or her opening statement, and is not a verbatim translation of the actual testimony.

Findings

1. The ideas and recommendations of pro-legalization forces remain varied and wide ranging. There is no commonly agreed upon approach that should be taken to legalize illicit narcotics.
2. The American public remains largely opposed to the notion of legalizing illicit drugs.
3. There is no data to support the theory that legalizing illicit drugs would result in less crime, more affordable narcotics or decreased drug experimentation, abuse or addiction.
4. There is no agreement on the types of currently illicit drugs that should be considered for legalization.
5. No definitive information exists that would show how America's youth would be affected by legalization, whether positively or negatively.
6. There should be a stepped up effort to look at the expansion of treatment and rehabilitation resources around the country.
7. The Federal war on drugs must devote more resources to curbing drug trafficking and abuse in major U.S. cities.
8. Narcotics law enforcement efforts need to be improved, especially in major U.S. cities.
9. Training for the staff of drug abuse treatment centers needs to be expanded and improved.
10. Federal drug abuse policies need more input from residents of major American cities and not just from governmental leaders, police chiefs, and substance abuse professionals.
11. The burden of proof regarding the benefits of drug legalization must be placed on the advocates of such a policy. Until the proponents of drug legalization can demonstrate that the benefits of such a policy outweigh the risks to health and drug-related violence, drug legalization should be rejected.
12. American schools should continue to convey the message that drug abuse is against the law, harmful to health, and a detriment to optimal academic performance.

13. Employee assistance programs [EAP's] in government and industry must be strengthened to help employees and their families deal effectively with drug abuse.

14. We have not yet begun to fight the war. Consequently, legalization should not be considered an alternative.

Summary of Statements by Members of Congress

Chairman Charles B. Rangel (D–NY), Select Committee on Narcotics Abuse and Control

Legalization has been widely discussed in academic settings, and on radio and TV talk shows. But this is the first time in a long time the issue has made its way to the Congress.

Most of those who have been advocating legalization have been calling for either a debate, a discussion or a consideration. But after an advance reading of some of the testimony, it does not appear that any of the witnesses are truly advocating legalization.

Some are saying legalization ought to be discussed because the war on drugs is being lost with law enforcement. But the Nation has yet to declare a real war on drugs.

For 8 years, the Congress has met resistance to antidrug efforts. The Reagan administration has shied away from providing funds to State and local governments so that they can fight the war on drugs.

How can we say we have a war on drugs when a total of 2,800 DEA men and women are dedicated to fighting the war on drugs at the Federal level?

Some legalization proponents are calling for a greater educational and rehabilitative commitment, but we do not even have a single federally run rehabilitation program. Some say we must do more with drug education, but so far we have only had slogans like "Just Say No" and "Zero Tolerance."

No opium or coca leaves are grown in this country, yet the Secretary of State never utters his contempt for the nations where these poisons are grown.

Legalization proponents must be prepared to discuss their ideas and recommendations in detail.

Hon. Lawrence Coughlin (R–PA), Ranking Minority Member, Select Committee on Narcotics Abuse and Control

Having a hearing on legalization could send a wrong message to America's young people that drugs are OK. Having a discussion could be a copout in the war on drugs.

The hope is that the hearing will not be interpreted as an indication that legalization is being suggested.

To quote the attorney general of Pennsylvania, Leroy Zimmerman, "In Philadelphia, over 50 percent of the child abuse fatalities involved parents who heavily used cocaine. Cheaper, legal cocaine would result in more children dying and more babies being born addicted."

HON. BENJAMIN A. GILMAN (R–NY), SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL

Drug kingpins are continuing to cash in on America's insatiable appetite for illicit drugs. These multinational criminal syndicates have built evil empires from the drug trade.

The power of the drug trade threatens the authority of governments worldwide. Colombia, for example, is virtually under siege from the traffickers.

When the narcotics trade recently offered the Colombian people the money to pay off the nation's foreign debt, the people refused, resisting the financial temptation and opting to take the moral high ground.

Those calling for legalization in America are seeking to compromise the same values and morals that remain at stake in Colombia. They are looking to cut a deal with the drug trade.

Legalization would not put an end to the international cartels, who would figure out ways to adapt and penetrate the U.S. market. It would not end drug-related crime, as many addicts on the street would continue to commit criminal acts because of impaired judgment and instability from illicit drug use.

It is hoped that fresh, new ideas will emerge from the hearings that will make the Nation more effective in the war on drugs.

HON. FORTNEY H. (PETE) STARK (D–CA), SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL

In New York and Oakland, only about 10 percent of the cocaine and heroin addicts are able to be treated for their addictions. In both cities, people seeking drug treatment are required to wait at least 6 months for treatment. Drug-related crime has skyrocketed as a result of a lack of treatment slots.

Legalization is not the answer. We must find a way to treat the drug abuser.

I am introducing a bill to provide treatment for addicts seeking help. The bill would be financed through the Social Security Programs' disability insurance provisions and utilize a Medicare-like payment principal for outpatient and inpatient services.

HON. JAMES H. SCHEUER (D–NY), SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL

The ultimate copout in the war on drugs is to stand pat with the current ineffective drug control policy. Pumping more resources into a transparently failed system would be an admission of defeat in the war on drugs.

Our system has totally failed. If seizures, arrests, and convictions are going up, then so is violence and addiction. We must end the preoccupation with the criminal justice aspect of the problem and focus more on education and treatment.

A new system and a new strategy would involve changing people's behavior. We have successfully changed attitudes and behavior on alcohol and tobacco consumption.

The question is, How do we reduce the demand for drugs? We need to examine the costs and benefits of police crackdowns. We

have to address a broad spectrum of options and put substantially more resources into those programs that really work.

HON. CARDISS COLLINS (D–IL), SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL

Drugs have been a problem for many years. It is one of the greatest public evils in the United States.

The present administration has demonstrated a profound lack of understanding on the drug issue. The First Lady has told us to "Just Say No," while the President has said no to an effective policy to rapidly eradicate drug crops from society.

It seems incontrovertible that the immediate effect of legalization would be rampant drug use. This would occur for at least a short period, as the lion that has been held captive for many years would be let out of the den. Even if legalization were to have the desired effect, it would not work until the lion became accustomed to the new liberties. That could be a very long time, and the Nation could not afford to wait.

Legalization could lead to a legal and constitutional quagmire, in which the newly legal rights of individuals must be merged with the obligation to protect society.

HON. DANIEL K. AKAKA (D–HI), SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL

The issue is not whether we ought to sanction the use of drugs, but whether legalization can break the stranglehold that drugs have had on our communities.

We have contended that drugs affect all of us, not just users and pushers. That has never been more apparent than it is today.

HON. FRANK J. GUARINI (D–NJ), SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL

Legalization is not the cure for the Nation's drug problems. It is the wrong policy, and it sends the wrong signal. It sends the signal to the drug lords that the Nation has lost, and they have won. It tells America's youth that the U.S. Government says yes to drugs.

People should be motivated so that they don't need drugs. They need to be given something to believe in. A sense of purpose and a spirit of idealism need to be renewed in America. Hope and dreams should replace despair and hunger.

There should be a dialog on the issue, as it may in the long run contribute to bringing an end to the drug crisis.

HON. DANTE B. FASCELL (D–FL), SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL

The fight against drugs must focus on interdiction, education, and rehabilitation. We just passed an omnibus drug bill in the House, but no matter how vigorously we attack the problem, we must key on reducing demand.

The issue should be discussed, and all views should get a fair hearing. But legalization and decriminalization are not the solutions to the drug problem.

A clear connection has been established between crime and drugs. While many individuals commit crimes to get drugs, others who commit crimes are found to have used illicit drugs just prior to the commission of the crime. Legalization will compound the situation because drugs will be easier to obtain. It sends a misguided and contradictory signal.

If drugs were legalized, how would we be able to tell our kids to stay off drugs? How can we urge other countries to work with us in interdiction and eradication efforts?

We must increase aid to State and local law agencies. Efforts must be concentrated on interdiction, demand reduction, and on rehabilitation and education.

HON. WILLIAM J. HUGHES (D–NJ), SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL

I am very much opposed to legalization. This view comes after reflecting on 24 years as either a prosecutor or a Member of Congress.

Where in the entire world has legalization worked? Witnesses would do well to indicate this to the committee in testimony. Also, indicate to the committee how the profits are going to be removed from the drug trade under legalization. The black market will not be eliminated.

Policies of recent years are workable if they are followed with the proper commitment. To date, the commitment has not been made in terms of effort and resources.

The Nation's strategy is good. Many of the provisions in the omnibus drug bill advance us in the right direction. Once the Nation gets serious about the problem, we will begin to turn the corner.

HON. SOLOMON P. ORTIZ (D–TX), SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL

Drugs take away the God-given gift of human potential that we all have. Illegal drugs are damaging our children, our communities and our Nation as a whole. None of this would change under legalization.

The question of legalization is not one of economics or money or the black market.

The position of those who advocate legalization is recognized. But when reasonable people discuss unreasonable proposals, it is a sad commentary on the impact that illegal drugs have had on society.

HON. KWEISI MFUME (D–MD), SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL

I am extremely opposed to the concept of legalization. However, it is important that the debate take place.

Both sides in the debate agree on one thing: Illicit drugs are tearing our Nation apart. It is estimated that some 23 million Americans use illicit drugs once monthly. A total of 6 million of these people use cocaine. Young people in the United States use illicit drugs more than their counterparts in any other nation of the world.

Proponents argue that legalization would remove the profit motive. That may very well be, but drug use is driven by demand and that's where more attention needs to be focused nationally.

History shows that drugs made legal for adult consumption cannot be kept out of the hands of children. Under legalization, more children and young people would experiment with drugs, as is the case with alcohol. It has been estimated that about 75 percent of all drug users become addicted.

Proponents often point to England and Holland as models for a legalization proposal. But the concept has not worked in either of those two countries. The policy of legalized heroin had to be discontinued in England as the number of heroin users increased and the black market continued to thrive. In Amsterdam, Holland, where marijuana is legal, crime and hard drug use remains a problem.

An additional consideration is the threat of babies born to drug-addicted mothers. That probably would be exacerbated under legalization. So would other problems, such as car and train accidents and corruption.

The U.S. focus on eliminating the drug problem should expand beyond the one-dimensional effort to stop the supply. More focus should be placed on demand reduction, specifically treatment and rehabilitation.

If the United States is fighting a war on drugs, the battlefields are not in Colombia and Bolivia, but rather in our schools and our communities.

HON. MICHAEL OXLEY (R-OH), SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL

The idea of legalization should not even be dignified with a 2-day hearing by the committee.

Consideration of the notion of legalization sends a bad message to the rest of the Nation and to the rest of the world. America's teenagers who may be considering experimenting with drugs may see that legalization is being considered and think that it is now OK to use drugs. Legalization is unacceptable in a civilized society.

My hope for an outcome to the hearings is that the book on legalization will be closed once and for all.

HON. TOM LEWIS (R-FL), SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL

It is contradictory that those committed to fighting drugs have agreed to give a hearing to the legalization issue.

Making drugs more affordable and more available could be detrimental to society. Particularly objectionable is the view of legalization advocates that the government itself can make a profit from the drug trade.

Legalizing drug profits and making dealers out of the government and private citizens is appalling.

HON. CARROLL HUBBARD, JR. (D–KY)

The urban drug problem is well known. But the war on drugs needs to be fought in rural America, as well. The drug problem is acute and serious in outlying areas.

In my own congressional district, in western Kentucky, the U.S. Customs Service is aware of the severity of the drug problem. They and the Drug Enforcement Administration know of contraband-carrying flights from Colombia and Mexico that arrive at our rural airports. These small airports are safer for drug dealers than flying into places like New Orleans and Miami.

I hope that the Congress will be able to lead the public and our government away from legalization. I hope that those who are proposing legalization would realize that more people would experiment with drugs under such a plan.

In my district, even the schools are not immune to the drug trade. At a grand jury hearing last December in Bowling Green, I testified that there were individuals selling drugs to Western Kentucky University students. My wife and I received death threats as a result of my testimony, in which names were revealed.

Like others, I wonder what we can do to increase education about drug abuse, and move as a nation toward a spiritual, rather than chemical, dependence.

HON. ROBERT GARCIA (D–NY)

Legalization poses dangerous repercussions for the Nation. It cannot be risked. It could not be sustained.

The legalization proposal comes at a time when public opinion toward drug abuse is beginning to take a turn for the positive, and after the House has just passed major antidrug legislation to improve on the 1986 antidrug bill.

Given the problems we continue to experience with tobacco and alcohol, the risks of legalization are just too great.

The biggest concern about legalization is the effect that it would have on America's youth. Legalization would result in the widespread use of drugs, especially among youth. The greatest impact would be felt in minority communities and in the inner city.

As long as there are drug users who cannot afford drugs legally, there will be a black market. Unless we legalize all drugs—including crack, PCP, LSD—and unless we make them universally available, there will be crime.

Legalization fails to take into account whether special restrictions would have to be placed on pilots, law officers, truck drivers and others in hazardous occupations. It also fails to consider the spread of AIDS through intravenous drug use.

HON. ROY DYSON (D–MD)

Legalization is a foolhardy and reckless proposal that would have a negative impact on the family.

The drug problem has filtered down to rural America. In one of the counties located in my district, the number of drug offenses rose 114 percent from 1986 to 1987.

Activists like Timothy Leary, Alan Ginsberg and Jerry Rubin 20 years ago advocated that drug use was okay and should be accepted as a form of escapism from the rough times of the real world. But over the past 20 years, we have seen the personal and financial ruin that drug use brings about.

Under legalization, America would become enslaved to drugs. Decriminalization is simply a backdoor way of legalizing narcotics.

Legalization would send a bad message. It would increase drug use and addiction. It would result in the expenditure of billions of additional dollars in health care costs and in lost productivity.

We must begin teaching our children at an early age about the dangers of harmful drugs. Though education must play a vital role in our antidrug efforts, we must still initiate stiff sanctions against those who grow, use and sell illicit narcotics.

HON. BENJAMIN L. CARDIN (D–MD)

In a survey of my Third Congressional District (portions of Baltimore City, Baltimore County and Howard County), 69 percent of the respondents oppose legalization and decriminalization.

A war on drugs cannot be won unless the profit is taken out of the drug trade. But decriminalization is not the way to accomplish that.

Constituents are saying that our discussions on the national drug debate should also take into account the damage from other harmful substances, such as alcohol and cigarettes.

More money should be focused on establishing effective treatment and education programs if a real war on drugs is going to be waged.

What is needed is a comprehensive approach combining foreign and domestic policy sensitive to the urgency of interdiction efforts, stricter enforcement, more resources to educate our youth to the dangers of drugs and treatment programs without waiting lists.

Summary of Testimony From Thursday, September 29, 1988

MAYOR KURT L. SCHMOKE, BALTIMORE

America needs to reexamine its current drug policy. The Nation is spending about $10 billion annually to enforce drug laws that are catching only a fraction of the violators.

The drug problem in America is defined in two components: addiction and crime. Law enforcement is unable to resolve either of these two problems and actually has worsened the crime problem. The black market is a result of the manufacture and sale of cocaine being criminalized and profits from drug sales are enormous because the substances cannot be obtained legally.

Nationwide, there were 750,000 drug arrests in 1987 and Baltimore had 13,000 drug arrests, yet both represent only a fraction of the drug violators. Prisons and jails are packed with drug offenders. One-third of all Federal prisoners are incarcerated on drug offenses.

Cigarettes kill hundreds of thousands, but no move has been made to make them illegal. Antismoking campaigns and other

public education programs have been successful in reducing the number of smokers.

America learned a painful lesson from trying to criminalize alcohol through Prohibition, and, today's drug dealers are the embodiment of liquor gangsters of the Prohibition era.

A possible new drug policy would involve the decriminalization of marijuana in tandem with a program of doctor-prescribed cocaine, heroin and methadone maintenance along with treatment for people addicted to those drugs.

The mayor also called for the establishment of a special independent commission to study substances of abuse including alcohol and tobacco.

MAYOR MARION BARRY, JR., WASHINGTON, DC

Despite the efforts of law enforcement and others involved in fighting illegal drugs, there are more drugs on the streets of America today than a year ago.

Of the 41,123 people arrested in the Nation's Capital in 1988, a total of 23,801 were arrested on a drug-related offense.

A new approach to drug control would encompass the following:

(1) Addicts who use drugs but do not commit crimes to support their habits should not be jailed.

(2) Addicts who commit crimes should be jailed.

(3) Street level dealers should be subject to law enforcement sanctions and monitoring.

(4) Foreign countries that are producers and manufacturers of illicit drugs destined for the United States should be dealt with strongly.

(5) Bankers, auto dealers, jewelers and others who help launder illegal drug money should be penalized.

(6) The problem of drug-addicted and drug-involved youths should be addressed.

Existing drug policies have failed in the United States. A new direction, a new attitude and a new approach to solving the drug crisis needs to be addressed by the Nation's leadership.

MAYOR DONALD C. "DOC" MASTER, CHARLES TOWN, WV

The small town of Charles Town, WV came under siege from the drug crisis about 2 years ago, when bold drugpushers began tapping on car windshields at stoplights offering to sell illicit narcotics.

When the invasion of cocaine dealers began in Charles Town, there were only seven officers on the town's police force. The Governor's office provided help for a massive raid in January 1988, in which 44 drug suspects were arrested. The raid cost approximately $500,000 and 5 of the 44 suspects spent time in jail. On a population ratio basis, the same raid would have netted some 12,000 suspects in Washington, DC.

Marijuana should be legalized—both for relief of cancer pain and for on-the-street use—and sold to persons over age 21. It should be strictly regulated and taxed. Cigarettes should also be regulated, including the removal of all vending machines.

Neither PCP nor LSD should be legalized. But a maintenance system involving designated hospitals should be implemented for cocaine and heroin abusers, with the opportunity for abusers to enroll in a treatment program aimed at reducing the intake of either of these drugs down to zero.

Mayor Edward I. Koch of New York City

Mayor Schmoke's proposal to maintain heroin and cocaine addicts is not new. The concept has been tried in Great Britain, and it has failed. Addiction and crime both rose as a result of doctor-prescribed drug maintenance in that country.

Legally received cocaine could be turned into the derivative crack by mixing in baking soda or some other base in the heating process. This would be a surreptitious way for crack addicts to obtain their fix if cocaine and heroin were legalized and prescribed.

Organized crime still would play a role in drug production and distribution for those who are either underage or cannot get the amount and quality they desire. In Great Britain, 84 percent of the government-registered addicts during that country's heroin maintenance program were discovered to be using other drugs illicitly.

With a population of 240 million people and about 6 million regular drug users in that group, drugs still remain unacceptable and drug users remain a sizable minority in the Nation. If legalization were to go into effect, there would be a gradual acceptability that would lead to an increase in users.

There is little distinction between decriminalization and legalization, and both are bad ideas that should be opposed.

Mayor Dennis Callahan of Annapolis, MD

The most compelling argument for not supporting the notion of legalization comes from the problems our society currently experiences with alcohol. According to the Research Triangle Institute in North Carolina, alcohol abuse costs America about $117 billion annually in medical, property, productivity and other losses. Of this amount, only about $2.5 billion related to law enforcement costs while the rest concerned accidents and other problems associated with the abuse of alcohol.

Even marijuana should not be legalized. Advocates for legalizing only this drug claim an overdose of it would only put the user to sleep, but they could be asleep while at the controls of a locomotive or another vehicle.

In Alaska, marijuana can be grown legally on private plots and it can be consumed on the premises. A survey of 250,000 high school students done by the Atlanta-based organization, Parents' Resource Institute, indicates that about one in five of those surveyed admitted to smoking marijuana. About one in two of those surveyed in Alaska admitted to smoking marijuana. It appears that the sanctioning of marijuana use has contributed significantly to the much higher usage figure in this State compared to the rest of the Nation.

HON. JACK LAWN, ADMINISTRATOR, U.S. DRUG ENFORCEMENT ADMINISTRATION

Drugs are not bad because they are illegal. Instead, drugs are illegal because they are bad, and legalization advocates are missing the point in blaming drug laws for the crime and violence that has resulted from the Nation's drug crisis.

The problems that we continue to experience with legalized alcohol use provide strong evidence that legalization would be a bad idea. Greater availability results in greater use and greater abuse.

The National Council on Alcoholism reports that one of every three American adults contends that alcohol has brought them family trouble. About 100,000 10- and 11-year-olds reported getting drunk once weekly in 1985, and about 100,000 deaths a year in the United States can be attributed to alcoholism. Of that number, 23,000 are killed on highways and cirrhosis of the liver is the sixth-leading cause of death in America.

The United States is signatory to the Single Convention on Drugs of 1961, and to the Convention of Psychotropic Drugs of 1971. Both these treaties require the country to establish and maintain effective controls on illicit substances. The sanctity of these treaties and U.S. credibility in the international fight against drug abuse would be severely damaged if these substances were legalized.

Legalization would adversely affect young people and the crime rate. The American public has said in recent opinion polls that it opposes legalization.

Legalization is a simple answer to a complex problem. The answer in fighting the drug crisis comes from focusing more on demand reduction efforts.

ARTHUR C. "CAPPY" EADS, CHAIRMAN OF THE BOARD, NATIONAL DISTRICT ATTORNEYS ASSOCIATION, DISTRICT ATTORNEY, 27TH JUDICIAL CIRCUIT, BELTON, TX

The whole notion of legalizing drugs ignores the reason why drugs were made illegal in the first place. They are bad for the user, the community and society as a whole.

Drug use often translates into child neglect and abuse, runaways, molestation and other crimes and maladies that result from individuals being under the influence of drugs.

It is wrong to assume that funding for enforcement versus funding for treatment and rehabilitation are distinctly different, and that they are competing categories, as both areas must be adequately funded for an effective antidrug strategy. Effective treatment programs are essential in sentencing drug offenders, while sanctions against drug use are critical components of a treatment and prevention strategy.

We have yet to implement in the United States, a full-scale attack on the drug problem combining law enforcement, treatment and prevention efforts into an effective strategy.

Hon. Sterling Johnson, Jr., Special Narcotics Prosecutor, New York City

Calls for legalization are borne from frustration with an inadequate response from the executive branch of the government. Unfortunately, not one single piece of antidrug legislation has come from the executive branch of government. The only major antidrug legislation has come from Congress.

It is improbable that heroin addicts could be maintained, as Mayor Schmoke contends. If an addict's habit is maintained at a certain level, over time the level of that addict's habit will rise.

The black market would remain in existence under legalization. Further, the matter of whether doctors, pilots and other people in sensitive occupations would be allowed to use legal drugs must be examined closely.

Legalized drugs will not stop crime, and the experience with prescribed heroin in Great Britain provides evidence that a downward trend in crime is not necessarily the case of lessened restrictions on drug use.

Finally, the concept of free needles, which is supported by Mayor Schmoke and also New York City Mayor Koch, is a bad idea. It sends out erroneous signals that conflict with any and all efforts to put an end to the use of harmful illicit drugs.

Jerald Vaughn, Executive Director, International Association of Chiefs of Police

The IACP represents more than 15,000 top-level law enforcement executives in the United States. The group is unequivocally opposed to drug legalization.

Overcrowded jails and prisons and loaded court dockets indicate success, rather than failure, of law enforcement in the battle against illicit drugs. Money is not being wasted on law enforcement, as only 3 percent of all expenditures at the Federal, State and local level involve the civil and criminal justice system. A total of 1.4 percent of Government spending goes toward the provision of law enforcement services, and less than 1 percent of the Federal budget is earmarked for law enforcement.

Less than 500,000 law enforcement officers are assigned to protect more than 245 million American citizens, and the lead antidrug agency has just 3,000 officers.

The IACP, in conjunction with the Justice Department, the Bureau of Justice Assistance and DEA, called together law enforcement authorities from all levels for five drug strategy sessions in 1987. A major finding from those sessions was that crime could be reduced through cooperative community strategies. This information was produced in manual form.

The United States has seen fit to protect Americans from substances that may be harmful through the regulation of the sale and distribution of these products. There has been little complaint about the infringement on individual rights in the process. It is understood that these products—meats, milk, prescription drugs, serums and vaccines—are regulated because the manufacturer alone cannot be depended upon to put the interests of the consumer ahead of the interests of profit.

Legalization is not a realistic option. At best, it is a last resort when all else has truly failed.

WILLIAM CHAMBLISS, PH.D., PROFESSOR, GEORGE WASHINGTON UNIVERSITY

The drug trade was estimated at about $1 billion a year 50 years ago in 1938. Today, it is valued at somewhere around $130 billion, which is larger than the gross national product of most nations in the world and many multinational corporations.

Drug profits remain essential to the survival of organized crime. Churning out these profits and protecting them involves engendering corruption of law enforcement authorities, and this remains an ongoing goal of organized crime, which remains a hazard of trying to stop the flow and use of drugs by criminalizing it.

Because of the level of poverty and other factors, it is impossible to expect a complete end to the drug trade even if police were able to arrest each and every drug pusher tomorrow. The costs of enforcing drug laws outweighs the benefits.

A new drug policy should first take into account that marijuana should be considered separately from such substances as cocaine and heroin. States that have decriminalized marijuana have had positive experiences as a result.

Although the experiment with prescribed heroin in Great Britain has not been totally successful, it is more successful than what the United States has experienced with criminalized heroin. Both heroin and cocaine should be legalized and dispensed by medical professionals.

DR. CHARLES R. SCHUSTER, PH.D., DIRECTOR, NATIONAL INSTITUTE ON DRUG ABUSE

NIDA is strongly opposed to the legalization of illicit narcotics.

First, there are a series of questions—including the many posed by Chairman Rangel—that must be answered before we can even begin to consider something as complicated as legalization. For example, the pharmacological effects of cocaine differ so that it is impossible to consider how much would be considered enough, or a legal limit.

Second, there appears to be an attitude readjustment occurring regarding drug abuse. According to the latest national high school survey on drug abuse, drugs are being seen by this group as more dangerous and there is a reporting of more self-abstention from illicit drug use than in other recent high school surveys.

In the 1980 survey, 11 percent of the respondents reported daily marijuana use. The 1986–87 survey indicated that figure had dropped to 3.3 percent.

As attitudes among adults and teenagers change, so will behavior. What is also needed are more good treatment programs, since we know that effective treatment works.

DR. ARNOLD TREBACH, PH.D., FOUNDER, DRUG POLICY INSTITUTE

America would be better off if all drug laws were removed today. Americans are at their best when they negotiate settlements, and at their worst when arguments are pushed to the wall.

It is absolutely essential that we remove laws restricting use of marijuana and heroin for medicinal purposes. It is also important to begin viewing drug addicts from a different perspective. We should be more concerned about getting them treatment rather than branding them criminals. This would include some form of maintenance, which is admittedly controversial.

There should be limited experimentation with recreational drugs. The 1973 Nixon Commission on Marijuana and Drug Abuse as well as the 1982 report of the National Academy of Sciences suggest an attempt at limited decriminalization or legalization.

ADM. JAMES WATKINS, U.S. NAVY (RET.), CHAIRMAN, PRESIDENT'S AIDS COMMISSION

An emerging problem stemming from rampant drug abuse is that of AIDS. One of the conduits of the deadly HIV virus that leads to AIDS is contact with an individual who is an abuser of drugs intravenously.

The IV drug abusers make up only 25 percent of all AIDS victims, but about 70 percent of heterosexual native citizens have contracted the disease from contact with an intravenous drug abuser. About 70 percent of perinatal AIDS cases involve a parent who is either an IV drug abuser or who has a sexual partner who abuses drugs intravenously.

More treatment is needed for IV drug abusers. There are some 1.2 million IV drug abusers in the United States, but only about 148,000 are in some form of treatment at any given time.

What is needed is a full-scale effort that addresses both supply and demand.

During its time as functioning body, the President's AIDS Commission heard testimony regarding the use of needle exchange programs. The overriding opinion of many black leaders who testified at an inquiry held in New York City is that IV drug abuse is killing the black community. However, these same leaders were opposed to needle exchange programs, and view them as a copout answer to a very serious problem. They are considered the first step to full-fledged legalization.

The most important thing that can be done to lick the drug problem is to help young people avoid using drugs in the first place.

DR. TOD MIKURIYA, M.D., PSYCHIATRIST, BERKELEY, CA

It is good to see an increase in public awareness about the dangers of alcohol and tobacco and about the increasing tendency to classify them as drugs of abuse.

While we focus heavily on the problems of drugs like cocaine and crack, very little attention has been paid to the problems caused by poisoning from alcohol and tobacco. We need to move closer to acceptance of these substances as dangerous drugs.

A comprehensive proposal regarding drug use in America would encompass the following six points:

(1) The removal of product liability exemptions for alcohol.
(2) The removal of price supports for tobacco.
(3) The establishment of a drug users' cooperative.
(4) The legalization of home cultivation of cannabis.
(5) The disallowance of searches of citizens' homes without a warrant.
(6) A testing of those who test others for drug use.

JOHN GUSTAFSON, DEPUTY DIRECTOR, NEW YORK DIVISION OF SUBSTANCE ABUSE SERVICES

Our agency oversees about 400 local treatment and prevention programs, with a capacity to treat 46,000 people and to provide counseling services to another 17,000.

About 22 percent of New York's population has abused some type of substance within the last 6 months. Half of this number abuses drugs on a regular basis. More than 600,000 people are considered non-narcotic substance abusers and about 260,000 are narcotics addicts.

The social and health consequences of legalization would be too great. Legalization advocates are ignoring the seductive properties of drugs like cocaine, which laboratory tests show leave the user craving for more.

While alcohol Prohibition may have been a law enforcement failure, it was a success healthwise. During the 1920's, alcohol-related mental illness declined significantly, but shot back up after the repeal of Prohibition in 1933.

From 1917 until 1921, New York State made narcotics available through clinics. But that practice was discontinued after it was discovered that many people were supplementing their legal supply with drugs purchased from the black market. This is a lesson for those considering legalization today.

We cannot overlook the impact that legalization would have on health and health care systems. Many illicit drugs lead to chronic health problems for users, and this problem would be pronounced under legalization.

STEVEN WISOTSKY, PROFESSOR OF LAW, NOVA UNIVERSITY

An independent national commission should be set up to take a fresh look at U.S. drug policy. Such a commission should have two fundamental goals: To reduce drug abuse, and to reduce the social problems stemming from the existence of the black market illicit drug trade.

A clear definition should be reached and agreed upon in terms of what "the drug problem" in America is. Is it drug use in general? Is it drug use by children and teenagers? Is it drug use that proves to be injurious to others or to the drug users themselves? Is it the black market and the events associated with that market in terms of crime and violence?

Detailed studies and polls should be conducted to determine how drugs should be legalized. This should be along the lines of market-

ing surveys done to prepare for the sale and distribution of other products.

For example, focus groups can be set up, and groups of individuals—such as prison volunteers serving life sentences—can be used for tracking the effects of certain drugs and also for gauging the addictive qualities of narcotics.

Among the priorities of drug control should be the protection of children, the protection of the safety and health of the public and the preservation of individual liberties in the process.

The real moral high ground in finding a solution to the drug crisis is one that will allow responsible, competent adults to have the freedom of choice so long as they do not intrude on the rights and privileges of others. No drug control policy should affront the Constitution.

DR. MITCHELL ROSENTHAL, M.D., PRESIDENT, PHOENIX HOUSE, NEW YORK, NY

Drug legalization would increase drug use and would further aggravate all the destabilizing influences that plague society today.

Addiction to illicit drugs has an enormous impact on the character, behavior and values of the abuser. While just as many cigarette smokers have become dependent on that product, the number of cocaine users, the power of cocaine addiction and the amounts that addicts would use if it were readily available and less expensive is ignored by those pushing legalization.

Illicit drug use rapidly diminishes one's ability to lead a normal, productive life. Drug abuse causes self-destructive behavior, lowering the self-esteem and creating the potential for violent, antisocial behavior.

Projections that drug use would double or even triple under legalization should be taken seriously. The greatest increase would come from those between the ages of 12 and 21 years old. Projections of drug-related deaths post-legalization range from 100,000 to 500,000.

The social order will suffer. Drug users are generally irresponsible people whose deviant behavior ranges from destroying relationships to inability to lead productive work lives to crime. All of these possibilities will be raised with legalized drugs.

We can realistically expect to overcome the drug crisis with a shifting public attitude and a stronger effort to enforce drug laws on the street.

ETHAN NADELMANN, PH.D., ASSISTANT PROFESSOR, PRINCETON UNIVERSITY

Neither legalization nor decriminalization should be considered a surrender. They are the policies that drug dealers fear most.

What is legalization? It is a model of analysis. It is a cost benefit analysis of current policies. We have to look at our policy and costs and compare to other systems and figure out which has the most benefits for the money.

What is the drug problem? This must be defined before going further. In the 1920's, people did not talk of "the alcohol problem." Instead, they separated the problem into one of crime--the Al

Capone types and their influence on the consumption of alcohol—and into another category of alcohol abuse. It was decided that Prohibition was not worth the costs, even if it reduced abuse to a degree. Nevertheless, today the drug problem is not separated as such and "the drug problem" is defined as both crime and abuse.

We will not be able to move forward until we make the distinction as was made with alcohol in the 1920's.

Nearly 20 percent of all State and local resources go to fighting drugs. In Washington, DC, more than half the people in jail are there on drug-related charges, and the figure in New York City is about 40 percent.

SUE RUSCHE, NATIONAL DRUG INFORMATION CENTER, FAMILIES IN ACTION

It is important that the perspective of families be included in the national debate on legalization.

In looking at both the alcohol and cigarette industries they spent more on advertising in the previous year than Congress appropriated to fight the drug crisis. We do not need any more legal industries of this sort amassing large profits in selling their products to our children and to ourselves.

Some legalization proponents make the argument that alcohol is legal and is not sold to young people. But alcohol sales to minors are routine as sales clerks fail to ask for identification or look the other way when obviously underage young people make an alcohol purchase.

If we cannot expect the alcohol and tobacco industry to prevent sales to minors, then how can we expect a cocaine or opiate industry from doing the same?

At the very least, illicit drugs are as harmful as alcohol and tobacco. Fewer people die from them than from alcohol and tobacco because fewer people use them, and fewer people use them because they are illegal. There are 18 million marijuana users compared to 116 million alcohol users; and there are 6 million cocaine users compared to 60 million tobacco users.

Alcohol and tobacco are leading killers in the United States. We do not live with alcohol and tobacco, we die with them. It would take two walls like the Vietnam Memorial shrine in Washington, DC to memorialize all those killed by alcohol in a year. It would take 7 to 10 walls to cover all those who die from tobacco.

Some say taxes from drugs sales could go toward treatment and education, but no money from the sale of alcohol and tobacco ever goes toward education and treatment for those problems.

Legalization would not eliminate profits. They would simply be shifted from the drug traffickers on the street to the people who run legitimate businesses.

It is unreasonable to think that drug use would not increase under legalization. A total of 11 States have decriminalized marijuana. From 1972 to 1978, in those States, marijuana use, as a result of the decriminalization, rose 125 percent among young adults, 130 percent among high school seniors, 200 percent among older adults and 240 percent among teenagers.

We are beginning to see drug use drop off in this country. We would like to see the Congress create a National Drug Corps similar to the Peace Corps, where parents and children could be trained to give 1 or 2 years of service fighting drug abuse in their communities.

Summary of Testimony From Friday, September 30, 1988

DR. DAVID F. MUSTO, M.D., DRUG HISTORIAN, YALE UNIVERSITY

Around the turn of the century, drugs such as cocaine, heroin and morphine were legally sold and consumed in the United States. Consumption of these drugs reached a peak around 1890 to 1900.

Because of the high rate of consumption and the effects these then-legal narcotics were having on individuals and families, America moved toward enacting laws and controls that have led to today's drug laws.

We are currently experiencing our second epidemic with cocaine. The first occurred around the mid 1880's, when this drug was made available in 14 different forms. One could smoke it, rub it on in a salve, inject it, or even sniff it.

Cocaine's image as the "All-American tonic" ended around 1900, when it came to be known as the most dangerous drug in the country. The first congressionally passed legislation regulating cocaine was in 1914, and was called the Harrison Narcotics Act.

A key to reducing the demand for drugs will be a changing of the public's attitudes.

Those supporting a look-see at legalization must be reminded that there are many things in our society that we do not attempt a look-see because we know in advance it is bad and would lead to worse problems. One of them, for example, is racial discrimination. We ask for laws restricting it because we know it is bad.

Ending the drug crisis will be a very gradual thing. It cannot be done in just 2 or 3 years. Drug use in America peaked around 1979, and at that time there was a call for legalization.

The argument for legalizing cocaine in the 1970's was that cocaine was a harmless drug unless misused. Today, the argument is that legalizing it will remove the criminal influence. We now see cocaine as bad in itself, and this is a tremendous attitude turnaround that can be used as a foundation for a further decline in cocaine usage.

DR. DALE MASI, PROFESSOR, SCHOOL OF SOCIAL WORK AND COMMUNITY PLANNING, UNIVERSITY OF MARYLAND

The workplace cannot afford the legalization of illicit drugs.

In previous testimony before the Select Committee on Narcotics Abuse and Control, my position was that there was a dramatic need for an increase in industry drug programs in this country. That need is greater today:

(1) A majority of illicit drug users are in the workplace.

(2) Alcohol is the primary drug of abuse in the workplace.

(3) Prescription drugs are the second largest drug of abuse in the workplace.

(4) The most recent surveys indicate that 19- to 25-year-olds are the biggest abusers of cocaine, with 25- to 30-year-olds being the second largest group. If cocaine is legalized, it would outdistance both alcohol and prescription drugs as the most abused drug in the workplace.

Drug abuse in the workplace translates into escalating health insurance bills. In addition, it contributes to the problems of absenteeism, sick leave, accidents, other rising health costs and more worker compensation claims.

More emphasis will have to be placed on companies educating workers about the dangers of drug abuse, as has been the case with tobacco. Few companies, a study by Cook and Harrell shows, have drug education promotion programs. The IBM Corp. stands out as a model for the rest of the industry in the country.

Schools of medicine, social work and psychology today rarely require that students take a course in alcohol or drug addiction. Fewer schools of psychology require a course in drug addiction than was the case in 1950. The council on social work education, the accrediting arm for such schools, does not even require that such courses be taught for master's and social work candidates.

We need employee assistance programs that concentrate on reaching employees early. New funds are needed for meaningful programs, especially outpatient services.

DR. LAWRENCE BROWN, M.D., CLINICAL INSTRUCTOR, DEPARTMENT OF MEDICINE, HARLEM HOSPITAL CENTER AND THE COLLEGE OF PHYSICIANS AND SURGEONS

Legalization advocates seem to be motivated by two arguments. One is that current response to the drug crisis has been shamefully inadequate. Number two, legalization appears to represent a reasonable alternative to the current response.

Our current policy on drug abuse can be addressed from two angles. We can look at it either from the perspective of those who use drugs, or from the perspective of the consequences of drug use.

A most common problem of those admitted to Harlem Hospital for treatment of kidney failure and in need of dialysis is prior drug abuse.

Our approach to drug abuse as a nation is that we continue to view it as a stigma, rather than the public health problem that it truly is.

It is ridiculous that so little of the educational training involves the study of drug abuse. Professional and health professional schools should be encouraged to try to include drug abuse studies in their curriculums.

Existing drug treatment facilities must be improved as well. The least attractive facilities are often allocated for outpatient drug treatment services. An expansion of treatment capability must focus on both quality and quantity.

The legalization debate provides the country with an excellent opportunity to reassess Federal drug policy. These discussions will far exceed their potential if they are used to chart a bold new course in responding to America's drug crisis.

DAVID BOAZ, VICE PRESIDENT FOR PUBLIC POLICY AFFAIRS, CATO INSTITUTE, WASHINGTON, DC

Alcohol did not cause high crime rates in the 1920's. Prohibition of alcohol was the problem. With today's drug crisis, it is not the drugs, but rather the prohibition of these drugs that are causing problems with crime and violence.

There are six ways in which drug laws impact negatively on society:

(1) Drug laws drive up the price. Users are forced to commit crimes to support their habits. Prohibition pushes some prices as much as 100 times higher than normal. Some experts say half the crime in major cities results from drug prohibition and many policemen will say the same thing if they were free to express themselves honestly.

(2) Drug laws cause corruption. The extraordinary profits become an irresistible temptation to policemen.

(3) Buyers are forced to come in contact with criminals, unlike those who purchase alcohol without the help of criminals because it is no longer illegal.

(4) Intense law enforcement forces the creation of stronger, more potent drugs. Crack, for example, is a result of drug prohibition.

(5) Civil liberties are abused under drug prohibition.

(6) A final negative result of drug prohibition is that it leads to futility. In the case of today's drug crisis, the drug war simply is not working.

GLORIA WHITFIELD (RECOVERED DRUG ADDICT), VOCATIONAL REHABILITATION SPECIALIST, REHABILITATION SERVICES ADMINISTRATION, DISTRICT OF COLUMBIA GOVERNMENT, WASHINGTON, DC

As a rehabilitation specialist in drug and alcohol abuse, it is frightening to consider what the caseload would be if drugs were legalized.

How can anyone with any insight or perception believe that legalizing drugs would be the answer to the drug crisis?

If the main reason to legalize drugs is to remove the profit from the criminals and drug traffickers, then it is also saying that the U.S. Government "wants a piece of the action." Uncle Sam would become the biggest dope pusher of all time.

Generations of young Americans are dying from drug abuse. Minds and motivation are being destroyed. Families are being destroyed. America is being weakened.

Legalization could not be accomplished without having to rely on imports. Small, drug-producing countries would soon become superpowers and nations with gross national products inflated by cocaine and heroin production would have access to nuclear warheads.

Fraudulent prescriptions are already a big business in the United States.

The future for America would be very dim under legalization. Medical schools, laws schools and other institutions of higher learning would not touch students who use drugs, even if they were

legal, because it is known that drug users are a detriment to themselves.

Under legalization, there would not be enough hospitals to take care of everybody. Doctors and nurses would be in demand like never before. Long lines of dope fiends waiting for a fix or a hit would replace the winos in the streets.

Those favoring legalization are being insensitive. Legalization is a further step toward the perpetuation of evil influence over society, rather than a positive step toward resolving some of the criminal problems in society like poverty, insufficient health care, and insufficient education.

America should wage a real war against drugs, using any means necessary to prevent it from entering our ports and coming across our borders.

RICHARD KAREL, JOURNALIST

Across the board legalization is not the answer to the drug crisis that plagues the country today. More dangerous drugs should continue to be prohibited, while less dangerous narcotics be made legally available.

During the time that America was under alcohol Prohibition, Great Britain was attacking the alcohol problem through a combination of higher taxes, rationing and limited hours of distribution. When the Volstead Act was repealed, alcohol abuse rose in the United States while Great Britain had already began experiencing a leveling off of alcohol use. Alcohol abuse has remained relatively low since.

Recent studies indicate a decrease in cirrhosis of the liver in the United States despite alcohol being a legal substance. With tobacco, limited restrictions and education have cut sales of this product to minors. Prohibition is neither necessary nor advisable for either of these products.

The focus should be on keeping dangerous drugs like crack and PCP away from children, and on preventing clinically controlled drugs from being diverted. This would provide a moral justification for the antidrug activities of law enforcement.

PAUL MOORE, DEVELOPMENT DIRECTOR, THE SCOTT NEWMAN CENTER, LOS ANGELES, CA

The Newman Center unequivocally opposes drug legalization. The more time spent debating the issue, the more credibility it receives.

Time should be spent developing more sound policies regarding treatment, rehabilitation and prevention. Society seems to be hooked on hyped miracle solutions that look good but would not work.

Drugs, drug abuse and the associated crime are all symptoms of deeply rooted problems in our society. Drugs did not invent poverty, broken homes, latchkey children, greed or the human desire for a quick fix. Drugs did not contribute to the general breakdown of moral and ethical values. Without drugs, these problems would not disappear and with drugs they are pronounced.

There is a perception that the drug problem can be sanitized through legalization, giving residents of ghettos and barrios all they want so long as they refrain from committing crimes against the rest of society.

The threat of legalization is that it stands to send a whole new set of mixed messages to America's youth. Drugs already have a glamorous image.

If drugs were legalized, the gains from national efforts of the past decade—such as a decrease in consumption and a change in attitude of the Nation's youth—would be lost.

MARVIN MILLER, MEMBER, BOARD OF DIRECTORS, NORML, WASHINGTON, DC

Drugs are a problem and they create a tremendous strain on the Nation's financial resources.

It is commonly known that there are no funds available for desperately needed educational and training programs. The underground narcotics trade is being allowed to run rampant and control the marketplace. It controls purity as well. All drugs are being treated as if they are the same.

A combined total of $10 billion is spent annually on State and Federal antidrug efforts. Most of this expenditure goes for enforcing marijuana possession laws. About 40 percent of all drug arrests relate to marijuana. Of the 40-percent figure, 9 of 10 cases involve simple possession.

There are some 50 million marijuana smokers in the United States. They are otherwise law-abiding citizens who pay taxes and are productive.

The Nation's $10 billion antidrug budget allots only about 5 percent for education programs. No money exists for national education or treatment programs.

NORML has put together a bill to make marijuana available legally as a controlled and regulated substance.

An administrative law judge has ruled that marijuana is the most benign substance known to man. It is not addictive. It does not generate violence.

The Nation should look at new ways to battle the drug crisis. Not every drug can be legalized, yet at the same time, 50 million marijuana using Americans should not be branded criminals.

RAY WHITFIELD (RECOVERED DRUG ADDICT), DRUG ABUSE CONSULTANT, WASHINGTON, DC

Legalization is not a positive proposal. It is based on what may be a false assumption, that legalization is a proposal intended to reduce drug abuse.

Drug-related murders would not necessarily decrease as a result of legalization. Drug-related murder should take into account drug-related death, which is less glamorous, but also a tragic consequence of drug abuse.

Many in our society have turned to drug abuse simply because they are hopeless and helpless. Drugs ease the pain of their reality. Many people have lived lives much worse than what the criminal justice system can mete out.

The Nation's Government has been duplicitous in dealing with the drug crisis. While Government does not officially sanction drug use, it has pushed policies that contribute to it—such as the lack of antidrug education and treatment centers in ghettos during the 1940's, 1950's and 1960's, and the closing of the only two Federal treatment centers in Lexington, KY and Texas.

Drugs generally have not been considered a national problem so long as there was the perception that it was a problem of minorities and poor whites. Middle and upper income individuals, meanwhile, generally have looked at cocaine as a suitable, nonaddictive drug.

Now that cocaine and its negative consequences have reached suburbia, it is a national problem. This is duplicity.

Drug abuse is not the root problem. It is a very destructive symptom of other maladies.

SENATOR JOSEPH GALIBER, NEW YORK STATE ASSEMBLY

In the last 20 years or so, little or nothing has happened in terms of solving the Nation's drug crisis.

I introduced a bill in the State assembly earlier this year to set up a commission to study legalization and decriminalization in the State of New York.

America has always been the noble experiment on freedom that other nations around the world have looked to as an example. But now, out of frustration, Americans are beginning to espouse violations of freedoms and civil liberties as the answer to this frustration.

Drug trafficking must be eliminated through the legalization of narcotics.

Responsible officials are suggesting arming our police with more powerful weapons. They have suggested shooting down suspicious planes. They have called for a doubling of agents and resources, martial law and the death penalty for drug traffickers.

We fail to realize the coexistence of two separate problems regarding the Nation's drug crisis. There is drug abuse and there is drug trafficking. It is the trafficking that causes shootouts, raids, deaths and injuries. If all drugs were legalized right now and given away free, then the traffickers would cease coming in immediately. The profit would be gone.

Drug abuse would not be eliminated under legalization, but the horrible problems associated with the drug trade would be gone.

The questions posed by Chairman Rangel can be answered in the context of the alcohol industry:

Question. What narcotics and drugs would be legalized?

Answer. All.

Question. Who would be allowed to buy these narcotics? Would there be an age limit?

Answer. The same limitations as those for purchasing alcohol.

Question. Would we sell drugs to people who just want to experiment and encourage them to pick up the habit?

Answer. We would sell drugs in the same fashion and with the same restrictions as the selling of alcohol.

Question. Where would these drugs be sold?

Answer. In the same places and under the same controls as alcohol.

Question. Where would we obtain our supply of these legal drugs?

Answer. In the same way that there are manufacturers of alcohol.

Do you for one minute think the tobacco industry has not put together long ago contingency plans to produce marijuana cigarettes when legalization becomes a reality?

Question. Would private industry be allowed to participate in this market?

Answer. Of course. In the same way as in alcohol.

Question. If drugs would become legal, would we allow pilots, railroad workers and nuclear plant employees to use them?

Answer. Do we permit them to use alcohol?

Question. If drugs were legalized, how would we back up our argument with our children and youth that drugs are harmful?

Answer. In the same way that we do with alcohol.

The Volstead Act, which made liquor illegal, created violence, warfare, bloodshed, corruption, illicit dealers and sellers on a sale that was unprecedented until now.

Let us not repeat the mistakes of the past by continuing to escalate a war which is totally unnecessary.

ADDITIONAL VIEWS OF HON. LARRY SMITH OF FLORIDA

Legalization will not alleviate the drug problem. Drugs such as heroin and cocaine destroy both the mind and the body. The new form of cocaine known as crack or rock is highly addictive. Legalizing drugs would be the same as admitting that we, as a people and society, cannot control our actions and prefer self-destruction. Who among us wants the U.S. Government to be in the business of distributing cocaine, heroin, PCP or any other killing, brutalizing substance?

Very few people believe that legalized drugs would reduce the impact of drug abuse on society. Such a proposal *might* eliminate some of the existing criminal element involved in drug trafficking, but it would not stop *somebody* (whether the government, tobacco companies, or pharmaceutical companies) from profiting from the human misery associated with drug use and abuse.

If we would not legalize drugs for juveniles (and we would not), a flourishing market would still exist to sell to them illegally. What about crime? If we distribute or make legal drugs that cloud the mind or remove inhibitions, does anyone believe that there will be less crime? Does anyone believe that people who are on only a fixed ration of free or legal drugs will not want more and that someone will sell it to them illegally? And that to pay for those "extra" drugs the drug users will not commit crimes?

Congress should do everything it can to *eliminate* drug trafficking and drug abuse. The task will not be easy, but that does not mean that we cannot try to alleviate this devastating problem. Legalization would be the easy way out, but it would not solve the underlying problem.

LARRY SMITH.

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